

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

STATE OF NEW MEXICO *ex rel.*

State Engineer, *et al.*,

Plaintiffs,

v.

ROMAN ARAGON, *et al.*,

Defendants.

69cv07941 MV/KK

Rio Chama Adjudication

Pueblo Claims Subproceeding 1

ORDER FOR STATUS REPORT

THIS MATTER is before the Court on the Joint Status Report, Doc. 11571, filed December 10, 2019, and the City of Española's Status Report, Doc. 11572, filed December 10, 2019.

The Parties to the Joint Status Report state that they are committed to the negotiation process and that the resumption of litigation would hamper their efforts to resolve Ohkay Owingeh's water rights claims through negotiations. They also state that "Ohkay Owingeh has completed a draft comprehensive settlement proposal that has been submitted to the settlement parties." "Ohkay Owingeh anticipates that the discussions for the next six months will focus on the provisions of that proposal and the technical bases for the proposal" and recommends that the Court require the filing of a joint status report on June 10, 2019. Doc. 11571 at 5.

The City of Española states it "has outstanding questions and concerns regarding (1) whether certain claims the Pueblo is making can properly be resolved in this forum; (2) the legal bases of the Pueblo's claims, including the Pueblo's proposal on all amounts and sources of water, which remain un-identified, despite the City's repeated attempts to obtain this information; and (3) the groundwater model the Pueblo seeks to utilize for settlement over the City's continued objections to this model." Doc. 11572 at 1. The City agrees with the filing of a joint status report

on June 10, 2020.

The Parties shall, by June 10, 2020, file a joint status report addressing the following: (1) settlement negotiations; (2) scheduling dispositive motions; (3) rescheduling the trial; (4) an update on the Parties' expectations of the timing of a settlement agreement; and (5) any other matters the Parties wish to bring to the Court's attention. In the event the Parties are unable to agree on a joint status report, they may file individual status reports.

IT IS SO ORDERED.



KIRTAN KHALSA
UNITED STATES MAGISTRATE JUDGE